IN THE HIGH COURT OF JUDICATURE : CHHATTISGARH : BILASPUR

WRIT PETITION NO 3168 OF 2003

PETITIONERS: ... 1. JABBAR KHAN
aged about 21 yrs
s/o Shri Pulloo Khan (D)

2. SMT TAJIWAN BIBI
aged about 50 yrs
wd/o Shri Pulloo Khan

both r/o village Tengani
Post: Girijapur: Thana/via-Patna
Distt- Korea-CG.

-VERSUS-

RESPONDENTS: ... SOUTH EASTERN COALFIELDS LTD

Through:

1. The Chairman-cum-Managing Director:
SECL: Bilaspur-CG.

2. The Deputy Chief General Manager,
SECL Area Office:
Baikunthpur: Distt- Korea-CG.

P. R. No. 2982/03
Presented by Shri A.Nwag, Advocate
dated 26.09.03

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT/DIRECTION

XI-HC-22

(42)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

# आदेश पत्रक

मामला क्रमांक W.P.3168/ सन् 2003

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
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14.11.2003

Petitioners by Shri R. Dayal Shrivastava, Advocate.

Heard.

The main grievance of the petitioner No.1 is that the respondents have not given compassionate appointment in place of Pulloo Khan who was working as Security Guard in the respondent-organization at Baikunthpur.

The petitioner No.1 Jabbar Khan is adoptive son and petitioner No.2 Smt. Tajiwan Bibi is widow of late Pulloo Khan.

The case of the petitioners is that the petitioner No.1 Jabbar Khan is son of the daughter of petitioner No.2 and late Pulloo Khan. Since father and mother of petitioner No.1 expired in his childhood Late Pulloo Khan adopted the petitioner No.1 as his son.

Shri Pulloo Khan was working as Security Guard in Katkona Colliery, Baikunthpur District-Korea in the respondent-organization. While he was in service he expired on 5.12.1998. After death of Pulloo Khan the case for providing compassionate appointment to the petitioner No.1 (adoptive son of deceased employee) was forwarded by the Deputy General Manager on 12.7.2002 to the head office. But neither the respondents have provided any appointment nor have informed the petitioners about the action taken by them, although the petitioner is entitled for compassionate appointment as per the provisions of Clause 9.3.2 and 9.3.3 of Memorandum of Agreement Annexure P/2. Therefore, it

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

# आदेश पत्रक

मामला क्रमांक 3168/03 सन् 200

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

has been prayed that the respondents may be directed to provide compassionate appointment to the petitioner No.1.

I have heard learned counsel for the petitioners. He submits that the petitioner may be allowed to make a representation and the respondents may be directed to decide the representation of the petitioners.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case the petitioners are allowed to make a detailed representation to the Respondent No.1 raising all their grievances within a period of one month from today and the Respondent No.1 in turn will decide the representation within a period of two months from the date of receipt of the representation in an objective manner considering all the grievances of the petitioner by passing a reasoned order.

With the above observations this petition is disposed of finally.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

[पीछे देखिये